

Does § 205.105(b) take precedence over § 205.203(d)(3) if you obtain Potassium Sulfate by dissolving two allowed nonsynthetic mined substances together in water, removing the water with hot air and mechanically screening.

Section 205.105 (b) says that in order to produce or sell, label, or represent any product as organic, such products must be produced without any non-synthetics unless those non-synthetics are on the National List for crops or livestock production. Section 203 (d)(3) says that crop producers may improve their soil content, without contaminating it, by applying a mined substance of high solubility, provided the substance is used subject to any conditions on the National List for prohibited naturals (most mined substances would be a prohibited natural substance).

The requirement for producers is the following—under 205.203 (c), producers must manage plant and animal materials to maintain or improve soil organic matter content in a manner that does not contribute to contamination of crops, soil, or water, by plant nutrients, pathogenic organisms, heavy metals, or residues of prohibited substances. Producers are provided various options to do this, using raw animal manure, compost, uncomposted plant and animal materials, but regardless—producers must not contaminate crops, soil, or water. They must maintain or improve soil and fertility.

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